IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

Crl.Rev.Pet.No. 3431 of 2007()

CRA.234/2005 of ADDL. SESSIONS COURT FAST TRACK COURT-II, ALAPPUZHA
CC.671/2003 of JUDL.MAGISTRATE OF FIRST CLASS, AMABALAPUZHA

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

P.N.PODIYAN, S/O.NARAYANAN,
KARUMASSERIL THEKKETHIL, KUNNUMMA (PO),
THAKAZHY, ALAPPUZHA DISTRICT.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS: COMPLAINANT AND STATE

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1. L.RADHAKRISHNAN, VALAMADAM,
KOMANA, AMBALAPPUZHA.

2. STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.A.NIZAMUDHEEN
SRI.SOORAJ T.ELENJICKAL

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 3431 of 2007

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Dated: 24th September 2007

ORDER

The accused in C.C. 671/2003 on the file of the J.F.C.M, Ambalapuzha for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 10070 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused. The revision petitioner shall be released from prison forthwith unless his continued detention is found necessary in connection with any other case against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

rv

V. RAMKUMAR, J

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CRL. M.A. NO. 10041 OF 2007

IN

UNNUMBERED CRL. R.P. OF 2007

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ORDER

Heard both sides.

Having regard to the averments in the affidavit in support of this petition, the delay of 367 days in filing the above revision is condoned.

Registry to number the revision today itself.

V. RAMKUMAR, JUDGE.

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